



Christopher H. Lindstrom

Direct Line: 617-439-2698

Fax: 617-310-9698

E-mail: clindstrom@nutter.com

July 12, 2011
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Filed Via ECF

Honorable Arthur D. Spatt
United States District Court Judge
United States District Court
Eastern District of New York
P.O. Box 9014
Central Islip, NY 11722-9014

Re: *Richard Marcus v. Olga DuFour, et al.*,
E.D.N.Y., C.A. No. 10-1716-ADS-AKT

Dear Judge Spatt:

I represent Plaintiff Richard Marcus in this interpleader action. On July 8, 2011, the Court issued an order awarding Mr. Marcus his attorney's fees and costs incurred in connection with the action. The Court has directed the parties to appear before it on Thursday, July 21, 2011 at 9:30 AM to address the "appropriate amount" for this award. In advance of that hearing, I will submit an affidavit in support of the requested amount, to be paid from the stake Mr. Marcus deposited with the Court earlier this year.

By this letter, I respectfully request that the Court conduct the July 21 hearing telephonically. Mr. Marcus makes this request due to the fact that his attorneys are based in Boston, MA, the attorneys for claimant Olga Dufour are based in Washington, D.C., and the attorneys for the Haaker claimants are based in New York, NY. The elimination of substantial travel time for all attorneys would reduce additional fees and costs. Where the Court is conducting the hearing to award Mr. Marcus' attorney's fees and costs incurred in this action, and that reimbursement will be paid out of a limited stake, I believe it is particularly appropriate to avoid additional fees and travel costs, where possible.

I have conferred with counsel for Ms. Dufour and the Haakers. They agree that it is in the parties' interests to conduct the hearing telephonically, and thus they join in this request.

Should the Court grant this request, and should it benefit the Court, I would be pleased to initiate the telephonic hearing by linking all counsel before connecting to Chambers at 9:30 AM on July 21, 2011, or at a time convenient to the Court. Thank you for your consideration.



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Sincerely,

Christopher H. Lindstrom, Esq.

cc (via ECF):

Jason Criss, Esq.
Damara Chambers, Esq.
Steven Robertson, Esq.
Robert Brodegaard, Esq.
Emilie Simone, Esq.
George Xixis, Esq.

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